

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION
CASE NO: 1:17CR10265-01

UNITED STATES OF AMERICA,
Respondent

v.

SALLY ANN JOHNSON,
Petitioner

FILED
IN CLERKS OFFICE

2019 JUL -2 PM 12 27

U.S. DISTRICT COURT
DISTRICT OF MASS.

**MOTION REQUESTING REDUCTION PURSUANT TO 18 USC § 3582(c) FOR
ANKLE MONITORING-HOME DETENTION
PRIOR TO FEDERAL INCARCERATION**

COMES NOW, petitioner, Ms. Sally Ann Johnson, pro se, humbly and respectfully requesting that this Honorable Court, pursuant to 18 USC § 3582(c) and the United States Sentencing Guidelines: 5C1.1 Part C-**Imprisonment**: that the Honorable Judge Casper reduce petitioner's current term of incarceration for time spent on ankle monitoring. Petitioner was monitored via the global monitoring system from January 17, 2018 through February 28, 2018.

Pro se litigant(s) pleadings are to be held to a less stringent standard than formal pleadings drafted by lawyers. If the Court articulates that the litigant could be entitled to relief, it should move in a favorable manner towards the defendant in doing so. HAINES v. KERNER, 30 LED 2D 652, 404 US S. Ct., 519.

**FACTS TO SUPPORT YOUR HONOR'S
DISCRETION FOR GRANTING REDUCTION**

Pursuant to the First Step of 2018; the United States Sentencing Guidelines definition of Imprisonment has been expanded. **Section 504** of the First Step Act has added **Home Confinement** under **section 5F1.1** as a means to satisfy a term of imprisonment. Pursuant to Part C-Imprisonment of the USSG § 5C1.1 imposition of a Term of Imprisonment (e) **Schedule of Substitute Punishments**, (3) **One Day of Home Detention for One Day of Imprisonment**. The application notes for subsection (a) provides that a sentence conforms with the Guidelines for imprisonment if it is within the minimum and maximum terms of the applicable guideline range specified in the Sentencing Table in Part A.

The First Step Act of 2018 has in essence empowered the Court to subsequently **lower** a term of incarceration if the defendant has been successful on a term of **Home Detention**. Because the USSG are advisory pursuant to UNITED STATES v. BOOKER, (2005) 543 US 220, 160 L. Ed 2d 621, 125 S. Ct. 738; the 3553(a) factors can be applied more liberally when the Court finds compelling circumstances on a case by case basis to do so.

In the instant case, petitioner's **Home Confinement** eligibility date without Your Honor's adjustment for the Forty-three (43) days spent on **Home Detention** is October 30, 2019. It is within Your Honor's discretion to **reduce** petitioner's current term of incarceration by Forty-three (43) days. This **reduction** will adjust petitioner's **Home Confinement** eligibility date. This in turn will allow petitioner to be released from the Bureau

of Prisons custody sooner so that petitioner may be of assistance with a recent family hardship, which requires petitioner's mother to have the assistance of a care-giver.

WHEREFORE, although petitioner has a Motion requesting Home Confinement before this Honorable Court; petitioner is prayerful that Your Honor will move to grant petitioner relief in some form of either request.

Respectfully Submitted,


Sally Ann Johnson, pro se

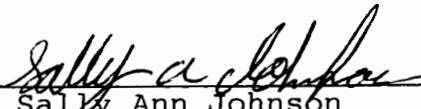
CERTIFICATE OF SERVICE

This is to certify that I have served a true and correct copy of the following: MOTION REQUESTING REDUCTION PURSUANT TO 18 USC § 3582(c) FOR ANKLE MONITORING HOME DETENTION PRIOR TO FEDERAL CUSTODY

which was hand delivered to prison authorities on the grounds of the Federal Prison Camp, located in Alderson, WV on this 6-25-19 day of June, 2019.

Mailed to the following address by placing in a sealed envelope bearing sufficient postage to: United States Courthouse
ATTN: Honorable Judge Casper
Boston, MASS

SO SERVED:


Sally Ann Johnson

Litigation is deemed FILED at the time it was delivered to prison authorities. HOUSTON v. LACK, 101 L. Ed. 2d 245 (1988).